

Message Text

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ACTION EUR-12

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SUBJECT: PRIVILEGES FOR U.S. MILITARY IN BELGIUM

REFS: (A) USCINCEUR MSG 231126Z APR 76,
(B) 76 BRUSSELS 3841 (DTG 151146 APR 76)

SUMMARY: BELGIAN GOVERNMENT AGAIN REFUSES ON BASIS OF
EXISTING AGREEMENTS TO EQUALIZE TREATMENT OF ALL U.S.
MILITARY FORCES IN BELGIUM ON ROAD, GASOLINE AND SIMILAR
TAXES. END SUMMARY.

1. IN FEBRUARY, AFTER FURTHER DISCUSSIONS WITH NSSG
JUDGE ADVOCATE DIVISION (COL. LOFTUS), WE ONCE
AGAIN APPROACHED PRESIDENT OF CISHIC TO SEEK EXEMPTIONS
FROM CERTAIN BELGIUM TAXES FOR U.S. MILITARY
STATIONED IN BELGIUM. CISHIC IS THE BELGIAN INTER-
MINISTERIAL COORDINATING BODY RESPONSIBLE, INTER ALIA,
FOR ALL QUESTIONS PERTAINING TO FOREIGN MILITARY
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STATIONED IN BELGIUM. CERTAIN SMALL U.S. MILITARY UNITS
AND INDIVIDUALS, WHOSE STATUS AND PRIVILEGES ARE
DETERMINED BY THE 1951 SOFA AND 1971 AND 1973 LOC
AGREEMENTS DO NOT PRESENTLY BENEFIT FROM: (A) IMPORT
TAX FREE PRIVILEGES FOR ONE VEHICLE PER PERSON; (B)
RELIEF FROM THE BELGIAN ROAD TAX; AND (C) A TAX FREE
GASOLINE RATION. AMONG THE U.S. INDIVIDUALS AFFECTED ARE

THOSE FROM THE UNITS AT KLEINE BROGEL AND HOOGBUUL.

2. OUR APPROACH TO CISHIC (COL. VERDIN) IN FEBRUARY WAS BASED ON THE ARGUMENT THAT WE WANTED TO EQUALIZE THE TREATMENT OF ALL U.S. MILITARY IN BELGIUM, AS MUCH AS POSSIBLE, IN ORDER TO AVOID MORALE AND FINANCIAL PROBLEMS FOR THE INDIVIDUALS AFFECTED. SINCE FEBRUARY, CISHIC HAS REEXAMINED THE QUESTION AND ON JUNE 13 PROVIDED US WITH THE FOLLOWING REPLY (IN SUMMARY EMBASSY TRANSLATION):

"RE HOOGBUUL, GIVEN THAT THIS DEPOT IS ONE OF THE LOC INSTALLATIONS IN BELGIUM, THE MILITARY POSTED THERE COME UNDER THE 1951 SOFA. UNDER ARTICLE 10 OF THAT AGREEMENT, THEY ARE EXEMPTED FROM TAXES ON SALARIES PAID TO THEM AS MEMBERS OF THE AMERICAN FORCES. ON THE OTHER HAND, THE SOFA DOES NOT EXEMPT THEM FROM THE ROAD TAX. THESE MILITARY ARE NOT EXEMPT FROM VALUE ADDED TAX (TVA) ON DELIVERIES OF GOODS AND SERVICES MADE TO THEM IN BELGIUM. FURTHERMORE, ON TVA AND CUSTOMS MATTERS, ARTICLE 11 (SUB PARAS 5 AND 6) OF THE SOFA ARE APPLICABLE. AS MEMBERS OF FORCES TO WHOM THE SOFA APPLIES, IT IS NOT POSSIBLE TO CONSIDER THEM AS MEMBERS OF SHAPE, AND CONSEQUENTLY , IT IS NOT POSSIBLE FOR THEM TO COME UNDER THE MAY 12, 1967 SHAPE-BELGIUM AGREEMENT." CHAMBERS

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Disposition Date: 22 May 2009
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Disposition History: n/a
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